

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TRUSTEES OF THE CERAMIC TILE	)	
AND MARBLE MASONS' UNION NO.	)	
18 OF MISSOURI PENSION PLAN,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 4:08-CV-885 (CEJ)
	)	
ROBERT JONES,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiffs' motion for an order requiring defendant to show cause why he should not be held in contempt of court. Plaintiff has defaulted in this matter and has not responded to this motion.

Plaintiffs are two labor unions and trustees of six employee benefit plans. They filed suit against defendant to collect delinquent fringe benefit contributions pursuant to the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. §§ 1001 et seq., and the Labor Relations Management Act (LMRA), 29 U.S.C. §§ 141 et seq. Default was entered against defendant by the Clerk of Court on August 5, 2008. In order to determine the amount of damages, the Court ordered defendant to produce certain payroll documents to plaintiffs no later than November 9, 2008. The docket report reflects that a copy of this order was mailed to defendant.

Defendant did not comply with the order and has not provided any of the required documents to date. The Court will grant plaintiffs' motion and order defendant to show cause, in writing,

why he did not produce the required documents to plaintiffs as ordered by this Court on October 9, 2008.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiffs' motion for an order to show cause [#14] is **granted**.

**IT IS FURTHER ORDERED** that defendant Robert Jones, doing business as Franklin County Tile and Stone, shall, no later than **January 16, 2009**, show cause, in writing, why he should not be held in contempt of court for failing to comply with the Court's October 9, 2008 order directing defendant to produce certain payroll related documents to plaintiffs. **THE DEFENDANT IS ADVISED THAT HE SHOULD NOT IGNORE THIS ORDER. FAILURE TO COMPLY MAY RESULT IN A FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS.**

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail a copy of this Order to defendant at the following address:

Robert Jones  
c/o Franklin County Tile  
1139 4 Mile Road  
Washington, Missouri 63090

  
\_\_\_\_\_  
CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of December, 2008.